



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
JACKSON DISTRICT OFFICE



DAN WYANT
DIRECTOR

October 9, 2013

Mr. Arno Schot, Vice President
New Flevo Dairy, Incorporated
9717 Forrister Road
Adrian, Michigan 49221

Dear Mr. Schot:

SUBJECT: CAFO Reconnaissance Inspection
NPDES Permit No. MI0058102
Designated Name: New Flevo Dairy-CAFO

On October 2, 2013, staff of the Department of Environmental Quality (DEQ), Water Resources Division (WRD), conducted a CAFO Reconnaissance Inspection at New Flevo Dairy, located at 9717 Forrister Road, Adrian, Michigan. The purpose of the inspection was to evaluate the facility's compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and National Pollutant Discharge Elimination System (NPDES) Permit No. MI0058102.

You, Mr. Todd Poling, and Mr. Dana Kirk participated in the inspection which included an interview, and site inspection. The main purpose of this inspection was to introduce myself to you and become familiar with the facility's CAFO waste system.

At the time of the inspection, the approved National Weather Service (NWS) forecast specified in the CAFO General Permit was down due to the shutdown of the federal government. Upon returning to the office following the inspection, and consulting with other DEQ CAFO staff members, I called Mr. Poling and discussed alternative forecasts to use until the approved system is back up. I also sent an email to Mr. Kirk with the same information. A copy of this email has been enclosed. As of today, the approved NWS forecast is back in operation. Please continue to use this forecast to determine if manure application is permitted. If the forecast happens to be unavailable again, please follow the guidelines presented in the enclosed email.

Following the interview portion of the inspection, Mr. Poling and Mr. Kirk proceeded to take me on a tour of the farm, including manure and silage leachate lagoons, sand separation lane, compost pad, and feed storage areas. All lagoons appeared to have adequate freeboard and vegetative cover, along with proper depth gauges. Production area runoff appeared to be contained and directed to proper storage lagoons. At the time of the inspection, the facility appeared to be well maintained. No maintenance issues were noted at the time.

Mr. Arno Schot
New Flevo Dairy, Incorporated

2

October 9, 2013

We appreciate your efforts to maintain compliance with Permit No. MI0058102. Should you require further information, please contact me at 517-780-7917; kennedym@michigan.gov; or DEQ, WRD, Jackson District Office, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556.

Sincerely,

Michael Kennedy
Environmental Quality Analyst
Water Resources Division

Enclosure

cc/enc: Mr. Dana Kirk, Silvernail Consulting (via e-mail)
Ms. Liesbeth Schot (via e-mail)
File: New Flevo Dairy-CAFO, MI0058102, Lenawee County

**DEQ-WATER RESOURCES DIVISION
POST INSPECTION REPORT**

**New Flevo Dairy-CAFO
CAFO Recon
Inspection ID: 53897**

FACILITY INFORMATION

Facility Name: New Flevo Dairy-CAFO
Facility Address:

9717 Forrister Road
Adrian, Michigan 49221
Facility Phone: (517) 266-0384
Facility Contact: Arno Schot
Facility Contact Phone: (517) 266-0384

Permit Reviewed Permit No.: MI0058102
Issued: 1/15/2010
Effective: 1/15/2010
Expires: 10/1/2014
App. Due: 4/4/2014

Certified Operator:
Certified Operator Phone:

Primary Industry:

Nature of Business: The applicant operates a dairy.

Wastewater Treatment Processes:

Municipal Classification Code: N/A

Major: No

INSPECTION INFORMATION

<u>Insp Start Date</u>	<u>Insp End Date</u>	<u>Transmittal Date</u>
10/02/13	10/02/13	10/09/13

DEQ Inspector(s)
Michael Kennedy

Workgroup
Jackson

Inspection Summary/Notes

I conducted an inspection of New Flevo Dairy on 10/2/13 from approximately 9-10:15 am. I met with Arno Schot (owner), Todd Poling, and Dana Kirk (CNMP provider). Arno asked what they were supposed to do about the forecast since the national weather service forecast they are permitted to use was down because of the federal government shut down. At the time, I did not have an answer, but I later called Todd Poling and gave him some alternative forecasts they could use. I also sent out a group email with links to those alternative forecasts. Because they did not have a valid forecast for this day, they did not spread.

We also discussed the recent letter I sent out, informing the farm that their annual report was received and approved. The letter also stated the permit requirement that fields are to be no larger than 20 (or 40) acres in size. They indicated that this requirement is too burdensome, and that they do not spread on a 20 acre basis. I told them as long as each 20 (or 40) acre subfield had proper field samples, then they could manage the fields however they like, as long as manure and fertilizer are applied at agronomic rates. I told them if they want to spread the same amount of manure on a field larger than 20 acres, they could as long as the 20 acre field with the highest soil Phosphorus level was used to determine application rate. This was agreeable to them.

Mr. Poling and Mr. Kirk proceeded to take me on a tour of the farm, including manure and silage leachate lagoons, compost pad, and sand separation lane. All lagoons appeared to have adequate freeboard and vegetative cover, along with proper depth gauges. Production area runoff appeared to be contained and directed to proper storage lagoons. At the time of the inspection, the facility appeared to be well maintained.

During the inspection I investigated several possible issues brought to me by the Environmentally Concerned Citizens of South Central Michigan (ECCSCM) through pictures they took on an 8/29/13 flyover of the facility. The concerns, along with my findings from the inspection are as follows. The number is the picture number from the flyover. See images and files for pictures.

DEQ-WATER RESOURCES DIVISION

POST INSPECTION REPORT

Concern: 0254 to the right of the barns or west shows stockpiling of waste with no containment for liquid runoff near pipe pile.

Findings from inspection: a temporary pile of millings for driveway repair.

Concern: 0256 containment for liquid runoff for stockpiling does not appear to be NRCS 313 construction standards

Findings: all runoff from stockpile area is diverted to the leachate lagoon to east. The small water bodies in the picture to the north of the stockpile area, west of the lagoon are temporary excavations, with the dirt being used for construction. It appeared that berms prevented any production area runoff from entering these excavations. Mr. Poling informed me that this area was once farm field. The CNMP shows that this area was in fact a field. Water level was low, and likely just contained rainwater. Water from this lagoon was being actively pumped to the lagoon to the east. See photos from inspection.

Concern: 0263 concerns for groundwater contamination, compost area?

Findings: see above.

Concern: 0270 shows stockpiling in field without containment

Findings: stockpiling of manure not allowed in permit. Mr. Poling said they do not stockpile manure and that the picture showed stockpiled sand.

Concern: 0275 runoff out of 2nd barn from left into the field that has an orange tile riser where liquid is ponded

Findings: Nothing seen during the inspection.

Concern: 0280 this picture shows an area in the field to the west of the facility at the top of the picture that is a continuous dump site with no crop. The Google picture was taken 6/2/2013 showing no crop in June.

Finding: Looking at map in 2012 CNMP, looks like this used to be forested. Does not appear to be in 2012 CNMP (see page 49).

Email exchange with CNMP provider Dana Kirk said "It is my understanding that New Flevo recently removed brush and dead trees from the area you reference in the picture. The material that was "applied" to the area was excess reclaimed sand, not technically manure. We will revise the CNMP this fall after crop harvest and update the field data. The cleared area will become official part of fields #2 & 3 (farmed as one unit). The new area is approximately 5 to 7 acres, making fields #2 & 3 a combined 57 to 59 acres in total area. There are three soil test for fields #2 & 3, all of which show low soil phosphorus readings. "

I made sure Dana understood the requirements to add the field to their CNMP.

Mr. Poling said during the inspection that manure had not been spread on the field, but that they had been working the ground and removing roots/rocks to prepare the field for eventual planting.

AREAS EVALUATED

Comment

DISCHARGE(S) Not Evaluated

WASTE STORAGE STRUCTURES Satisfactory

Adequate freeboard and depth gauges

CONSERVATION PRACTICES Not Evaluated

DIVERT CLEAN WATER Not Evaluated

ANIMAL CONTACT W/ WATERS OF STATE Satisfactory

None noted

DEQ-WATER RESOURCES DIVISION POST INSPECTION REPORT

ANIMAL MORTALITY Not Evaluated

CHEMICAL DISPOSAL Not Evaluated

INSPECTION, PROPER OPERATION & MAINTENANCE Not Evaluated

LAND APPLICATION OF WASTE Not Evaluated

RECORD KEEPING Not Evaluated

NON-PRODUCTION AREA STORM WATER Not Evaluated

CNMP Satisfactory

REPORTING REQUIREMENTS Satisfactory

annual report received and accepted

MANIFESTING Not Evaluated

OTHER Not Evaluated

VIOLATIONS

SOC Violations

Viol ID	SOC ID	Program Name	Schedule Name	Due Date	Detection Date	SOC Status	Violation Status
98651, 99891, 122627	31749, 31748, 31747	Comprehensive Nutrient Mana, Comprehensive Nutrient Mana, CAFO Waste Storage Structur	Annual Report, Submit a copy of the approved C, Upgrade to NRCS 313	04/01/10, 07/01/10, 05/01/11	04/02/10, 07/02/10, 05/02/11	Retired, Retired, Closed	Retired, Retired, Closed

ENFORCEMENT

Enf. ID	Enf. No.	Enforcement Type	Action Type	Issued Date	Issued By	Enf. Status
389	NL-001082	Notice Letter	Informal	01/13/05	Scott Miller	Closed/Resolved

Completed by Michael Kennedy

Date 10/2/13

